

FINAL

**THIRD TAXING DISTRICT  
JUNE 14, 2004  
REGULAR MEETING**

**ATTENDANCE:** David Brown, Chairman; Paul Coggin; Stephen Feinstein (7:04 pm);  
John Stoops (7:05 pm)

**STAFF:** George Leary, General Manager

**OTHERS:** Attorney Larry Dennin

Mr. Brown called the meeting to order at 7:05 pm.

**PUBLIC COMMENT**

Don Nelson stated that the Tree Alliance has started their inventory of city street trees including sections of East Norwalk; they are currently looking for volunteers. He added that they are also looking at trees that are in need of attention or are dangerous.

Mr. Feinstein and Mr. Stoops joined the meeting at 7:05 pm.

**APPROVAL OF THE MINUTES**

**\*\* MR. FEINSTEIN MOVED APPROVAL OF THE MINUTES OF MAY 24, 2004 AS AMENDED.**

**\*\* MR. BROWN SECONDED.**

The following amendment was made:

On page three, it should reflect that the motion was withdrawn because the funds were approved in the first motion.

**\*\* MOTION PASSED UNANIMOUSLY.**

**STEP 2 GRIEVANCE APPEAL**

Mr. Brown stated that the grievant was not present however they would allow him some time and take the agenda out of order. There were no objections.

**GENERAL MANAGER'S REPORT**

Mr. Leary referred to his written report dated June 14, 2004.

Mr. Coggin asked regarding the load reduction program, if they could track the expenses. He requested the actual expenses and revenues vs. the budgeted expenses and revenues.

FINAL

Mr. Leary replied that they could as separate accounts have been set up.

Mr. Coggin asked for a brief report on the expenses to be added to the General Manager's Report.

In reference to Northeast Utilities, Mr. Leary mentioned that the ISO are having technical problems with the transmission lines going underground.

Mr. Coggin referred to the discussion (Mr. Leary's follow up) at the last meeting regarding the bids for the emergency plan.

Mr. Leary explained that he had only received one bid at this point. He added that Joe Cristino had indicated that he would be bidding on this.

There was discussion on whether the plan had to be, or had been approved by the Commission.

Mr. Brown asked Mr. Leary if he could telephone SNEW to see who approves their emergency plan.

### **OPERATING BUDGET**

Mr. Leary referred to the information included the back-up material.

Mr. Coggin referred to the first two sheets saying that he thought it would be beneficial to separate the district from the electric department, so that there are two line items. He also suggested that some re-titling so this is clear.

There was discussion about the charts included in the budget material.

Mr. Feinstein asked if they were able to realize the impact of raising the transmission costs.

Mr. Leary indicated that it was too early to tell as this had only come out of effect April 1, 2004. Mr. Coggin requested revised projections for the ISO load generation project showing actuals vs. budgeted costs and revenues.

Discussion ensued about the amount of money that can go into the rate stabilization fund.

Mr. Coggin asked if they had a sense of where the year will end up regarding ISO generations and suggested a re-run of the projection for the fiscal year 2005.

### **GENERATION PROJECT UPDATE AND ACTIONS INCLUDING LEASE APPROVAL**

It was decided that this item would be discussed during executive session.

### **GENERAL MANAGER'S REVIEW**

Mr. Leary requested that this also be discussed during executive session.

### **TREE PLANTING AT CALF PASTURE BEACH**

Mr. Brown indicated that it was him who had originally contacted Mr. Nelson about the need for more trees at Calf Pasture Beach. He said that he had also spoken with Kevin Poruban (Chairman of DPW) who had suggested that the city had some free trees available.

There was brief discussion on the numbers quoted during the last meeting; Mr. Nelson suggested that it was unlikely that the trees would come out of the DPW budget; it was more likely to be Parks and Recreations.

Mr. Brown suggested the item be tabled until they could find out for certain if the city is able to provide the trees.

### **GUIDELINES FOR WRITE-OFF OF PAST DUE ACCOUNTS**

**\*\* MR. COGGIN MOVED TO ACCEPT THE RECOMMENDATIONS FROM  
RON SCOFIELD DATED JUNE 14, 2004 REGARDING ACCOUNTS WITH  
UNCOLLECTED BALANCES.**

**\*\* MR. BROWN SECONDED.**

Mr. Leary referred to the report included in the back-up material; he said the accounts were for tenants only and they are looking for some guidelines on how to proceed.

There was discussion on attempts made at the time to collect monies owed.

Mr. Coggin suggested that a collection agency be used to collect the money.

Mr. Dennin said the District has to adopt a procedure, as there might be new owners of the property now.

Mr. Brown said they should balance the cost of putting a lien on the property against how much money you chase.

Mr. Coggin asked if they went after some accounts (the bigger ones) and not others, would they run into any ethical dilemmas.

There was discussion on the pros and cons of putting a lien on a property.

FINAL

Mr. Brown suggested that they let the collection agency decide which accounts to after.

Mr. Feinstein said the best policy is to turn off the electricity.

Mr. Dennin said he liked the idea of a collection agency – however they would need a policy in place.

Mr. Feinstein referred to the dates in Mr. Scofield's memo, pointing out that the second category is from January 1, 2002 to March 31, 2004; the last date only being two months ago.

Mr. Leary indicated that there is a lot of work in turning these accounts over to a collection agency and they should consider the amount of time being allotted to this.

Mr. Feinstein stated that for the second category cases, he would like to go through them on a case-by-case basis.

Mr. Stoops disagreed noting his concern that they had been allowed to go this long and did not think it was appropriate to go through the 314 accounts.

Mr. Leary stated that anything written off would still come back.

Mr. Coggin concluded that they all wanted to collect on these accounts as much as possible, however they would like to see a list of all the 426 accounts.

**\*\* MR. COGGIN WITHDREW HIS MOTION.**

Mr. Coggin added that they would also like to understand the logistics regarding the collection agency and how much data preparation time would be involved.

### **NINETIETH ANNIVERSARY POLE BANNERS**

Mr. Coggin said the current banners have been up for the last eight months (approximately) and he was of the opinion that if they were to keep them up they should consider changing them every two months or so, otherwise they should take them down completely. He gave an example of a system used in New Haven.

Mr. Stoops suggested they allow local merchants to use this as a form of advertising.

Mr. Feinstein disagreed saying they should not be selling ad space.

Mr. Brown said they should start by seeing how much the banners would cost to get them changed on a regular basis.

Mr. Coggin requested they get the prices based on seventy banners.

FINAL

Mr. Leary requested that Commissioners think about what the new banners should say.

**DISCUSSION REGARDING REMOVAL/REPLACEMENT  
OF MTA BILLBOARDS AT EAST AVENUE RAIL ROAD OVERPASS**

Mr. Coggin said that he had put a request into Metro North about the removal of the billboards based on the fact that this is a residential area with a lot of history associated to it. He said that MTA are going to visit the site to see how well maintained the area is and to see how much the community is behind them. Mr. Coggin said that it might be possible that the billboards are simply relocated.

Mr. Stoops suggested that they trade off space from the billboards to the banners.

There was discussion on the area that had been cleaned up.

**AUTHORIZATION TO PURCHASE STREET LIGHT FIXTURES**

- \*\* MR. BROWN MOVED TO ACCEPT THE LOWEST BIDDER.**
- \*\* MR. COGGIN SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

**STEP 2 GRIEVANCE APPEAL** *(Continued)*

Mr. Feinstein said, as the grievant had not turned up he was not in a position to ask them to go into executive session for discussion on this.

- \*\* MR. FEINSTEIN MOVED TO DENY THE STEP 2 GRIEVANCE OF GREG GOLDSTEIN GRIEVANCE OF JUNE 8, 2004.**
- \*\* MR. BROWN SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY**

**EXECUTIVE SESSION**

- \*\* MR. BROWN MOVED TO GO INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSION OF THE GENERATION PROJECT UPDATE AND THE GENERAL MANAGER'S REVIEW.**
- \*\* MR. FEINSTEIN SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

Commissioners Brown, Feinstein and Coggin, Mr. Stoops, Attorney Dennin and Mr. Leary went into executive session at 8:55 pm. They reconvened into public session at 9:30 pm. The Chairman announced that there was no action on the General Manager review.

FINAL

**\*\* MR. COGGIN MOVED: RESOLVED THAT MR. DAVID BROWN, COMMISSION CHAIRMAN, OR MR. GEORGE E. LEARY, GENERAL MANAGER ARE EMPOWERED TO EXECUTE AND DELIVER IN THE NAME AND ON BEHALF OF THE DISTRICT, IN CONNECTION WITH THE INSTALLATION OF THREE TWO-MW DIESEL POWERED GENERATORS LOCATED IN NORDEN PARK ON NORDEN PLACE IN NORWALK, TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, STATE OF CONNECTICUT ANY PERMIT APPLICATION, REPORT OR CERTIFICATION OR ANY DOCUMENTS ASSOCIATED THEREWITH WHICH MUST BE CERTIFIED IN ACCORDANCE WITH SECTION 22A-174-2A(A) OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES.**

**\*\* MR. FEINSTEIN SECONDED.**  
**\*\* MOTION PASSED UNANIMOUSLY.**

**\*\* MR. COGGIN MOVED TO APPROVE THE GROUND LEASE BETWEEN NORDEN PLACE LLC AND THE THIRD TAXING DISTRICT OF THE CITY OF NORWALK AS PRESENTED AND TO AUTHORIZE THE CHAIRMAN TO SIGN THE LEASE ON BEHALF OF THE DISTRICT.**  
**\*\* MR. BROWN SECONDED.**  
**\*\* MOTION PASSED UNANIMOUSLY.**

### **ADJOURNMENT**

**\*\* MR. FEINSTEIN MOVED TO ADJOURN.**  
**\*\* MR. BROWN SECONDED.**  
**\*\* MOTION PASSED UNANIMOUSLY.**

Meeting was adjourned at 9:35 pm.

Respectfully submitted,

Kate Kye  
Telesco Secretarial Services